

WAC 388-826-0040 What is the voluntary placement agreement? (1)

Before a child may enter voluntary out-of-home placement, the child's parent or legal guardian must execute a voluntary placement agreement.

(2) The voluntary placement agreement must specify:

(a) That the child's parent or legal guardian retains legal custody of the child;

(b) That the department is responsible for the child's placement and care;

(c) That the signature of the child's parent or legal guardian is required;

(d) The legal status of the child;

(e) The rights and obligations of the parent or legal guardian;

(f) The rights and obligations of the child;

(g) The rights and obligations of the department while the child is in placement; and

(h) That any party to the voluntary placement agreement may terminate the agreement at any time.

(3) If a court has entered a final divorce decree or parenting plan that delineates decision-making authority, the parent must provide a copy of the document to the department.

(4) A voluntary placement agreement regarding an Indian child is invalid unless it complies with RCW 13.38.150.

(5) If a child's placement is unsuccessful under the terms of the voluntary placement agreement, the child returns to their parent's physical care until a new placement is available.

(6) Upon termination of the voluntary placement agreement, the child must return to the parent or legal guardian's care unless:

(a) Taken into custody under RCW 13.34.050 or 26.44.050;

(b) Placed in shelter care under RCW 13.34.060; or

(c) Placed in foster care under RCW 13.34.130.

[Statutory Authority: RCW 71A.12.030 and 74.13.350. WSR 18-23-004, § 388-826-0040, filed 11/7/18, effective 12/8/18. Statutory Authority: RCW 74.13.350. WSR 02-22-057, § 388-826-0040, filed 10/31/02, effective 12/1/02.]